

White & Case LLP
701 Thirteenth Street, NW
Washington, DC 20005

Christopher M. Curran (*pro hac vice*)

ccurran@whitecase.com

Lucius B. Lau (*pro hac vice*)

alau@whitecase.com

Dana E. Foster (*pro hac vice*)

defoster@whitecase.com

White & Case LLP

701 Thirteenth Street, N.W.

Washington, DC 20005

Telephone: (202) 626-3600

Facsimile: (202) 639-9355

*Counsel to Defendants Toshiba Corporation,
Toshiba America, Inc., Toshiba America
Information Systems, Inc., Toshiba America
Consumer Products, LLC, and Toshiba America
Electronic Components, Inc.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. 07-5944 SC
MDL No. 1917

This Document Relates to:

ALL INDIRECT PURCHASER ACTIONS

Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.,
Case No. 3:11-cv-05513

Best Buy Co., Inc., et al. v. Technicolor SA, et
al., Case No. 13-cv-05264

Costco Wholesale Corp. v. Hitachi, Ltd., et al.,
Case No. 3:11-cv-06397

Interbond Corp. of America v. Hitachi, Ltd., et
al., Case No. 3:11-cv-06275

Interbond Corp. of America v. Technicolor SA, et
al., Case No. 3:13-cv-05727

**DECLARATION OF
LUCIUS B. LAU IN SUPPORT OF
THE TOSHIBA DEFENDANTS'
ADMINISTRATIVE MOTION TO
FILE DOCUMENTS UNDER SEAL
PURSUANT TO CIVIL LOCAL
RULES 7-11 AND 79-5(d)**

DECLARATION OF LUCIUS B. LAU IN SUPPORT OF THE TOSHIBA DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE DOCUMENTS UNDER SEAL PURSUANT TO CIVIL LOCAL RULES 7-11 AND 79-5(d)
Case No. 07-5944-SC, MDL No. 1917

White & Case LLP
701 Thirteenth Street, NW
Washington, DC 20005

1 *Office Depot, Inc. v. Hitachi, Ltd., et al.*, Case
2 No. 3:11-cv-06276

3 *Office Depot, Inc. v. Technicolor SA, et al.*, Case
4 No. 3:13-cv-05726

5 *Tech Data Corp., et al. v. Hitachi, Ltd., et al.*,
6 Case No. 3:13-cv-00157

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF LUCIUS B. LAU IN SUPPORT OF THE TOSHIBA DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE DOCUMENTS UNDER SEAL PURSUANT TO CIVIL LOCAL RULES 7-11 AND 79-5(d)
Case No. 07-5944-SC, MDL No. 1917

1 I, Lucius B. Lau, hereby declare as follows:

2 1. I am an attorney with the law firm of White & Case LLP, counsel for
3 Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer
4 Products, LLC, Toshiba America Information Systems, Inc., and Toshiba America Electronic
5 Components, Inc. (collectively, the “Toshiba Defendants”).

6 2. I submit this declaration in support of the Toshiba Defendants’ Administrative
7 Motion to File Documents Under Seal Pursuant to Civil Local Rules 7-11 and 79-5(d), dated
8 January 23, 2015, filed contemporaneously herewith. I have personal knowledge of the facts
9 stated herein, and I could and would competently testify thereto if called as a witness.

10 3. On June 18, 2008, the Court issued a Stipulated Protective Order (Dkt. No.
11 306) (the “Stipulated Protective Order”).

12 4. On November 7, 2014, the Toshiba Defendants filed the Defendants’ Notice
13 of Motion and Motion for Partial Summary Judgment on Plaintiffs’ Indirect Purchaser
14 Claims Based on Foreign Sales (“Defendants’ Motion”) and the Declaration of Lucius B.
15 Lau in Support of the Defendants’ Motion, and attached:

16 a. Exhibit B, the Expert Report of Janet S. Netz, Ph.D., dated April 15, 2014,
17 which the Indirect Purchaser Plaintiffs designated as “Confidential” under
18 the Stipulated Protective Order.

19 5. Portions of the Defendants’ Motion contained quotations from, and discussion
20 of, the above-specified “Confidential” material. As such, the Toshiba Defendants filed the
21 Defendants’ Motion under seal.

22 6. On January 23, 2015, the Toshiba Defendants filed the Defendants’ Reply
23 Memorandum in Support of Motion for Partial Summary Judgment on Plaintiffs’ Indirect
24 Purchaser Claims Based on Foreign Sales (“Defendants’ Reply”), which contained
25 quotations from, and discussion of, the above-specified “Confidential” material. As such, the
26 Toshiba Defendants filed the Defendants’ Reply under seal.

27 7. Pursuant to Civil Local Rules 7-11 and 79-5(d), this Court’s General Order
28 No. 62, Electronic Filing of Documents Under Seal, effective May 10, 2010, and the

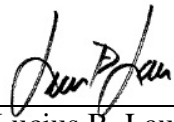
DECLARATION OF LUCIUS B. LAU IN SUPPORT OF THE TOSHIBA DEFENDANTS’ ADMINISTRATIVE
MOTION TO FILE DOCUMENTS UNDER SEAL PURSUANT TO CIVIL LOCAL RULES 7-11 AND 79-5(d)

Case No. 07-5944-SC, MDL No. 1917

1 Stipulated Protective Order, the above-mentioned materials should be maintained under seal
2 and in redacted form.

3
4 I declare under penalty of perjury under the laws of the United States of America that
5 the foregoing is true and correct.

6
7 Executed this 23rd day of January, 2015, in Washington, D.C.

8
9
10 
11 _____
12 Lucius B. Lau

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
White & Case LLP
701 Thirteenth Street, NW
Washington, DC 20005